

No. 101

MICHIGAN SENATE

DAILY CALENDAR

TUESDAY, DECEMBER 8, 2009
10:00 a.m.

MOTIONS

1

(Consideration postponed until Thursday, December 31.)

HB 4316 Rep. Lisa Brown

Torts; product liability; limitation on liability for drugs that have been approved by federal food and drug administration; rescind.

Amends sec. 2946 of 1961 PA 236 (MCL 600.2946).

I.E. House, March 26, 2009.

Motion to discharge Committee on Government Operations and Reform, Thursday, April 23.

2

(Consideration postponed until Thursday, December 31.)

HB 4317 Rep. Kennedy

Civil procedure; statute of limitations; drug product liability cases previously prohibited because of FDA approval defense; allow to be commenced within 3 years after repeal of the defense.

Amends sec. 5805 of 1961 PA 236 (MCL 600.5805).

I.E. House, March 26, 2009.

Motion to discharge Committee on Government Operations and Reform, Thursday, April 23.

3

(Consideration postponed until Thursday, December 31.)

HB 4318 Rep. Slavens

Consumer protection; unfair trade practices; liability for inaccurate representations concerning risks of certain drugs, medications, and supplements; clarify.

Amends secs. 2 & 3 of 1976 PA 331 (MCL 445.902 & 445.903).

I.E. House, March 26, 2009.

Motion to discharge Committee on Government Operations and Reform, Thursday, April 23.

4

(Consideration postponed until Thursday, December 31.)

SR 15 Sen. Whitmer

A resolution to amend the Standing Rules of the Senate.

Motion to reconsider motion to discharge Committee on Government Operations and Reform, Thursday, May 7.

MESSAGES FROM THE GOVERNOR

5

SB 254 Sen. Hardiman

Appropriations; zero budget; department of transportation; provide for fiscal year 2009-2010.

Creates appropriation act.

Approved by Governor, with line items vetoed, Monday, October 12.

For veto message, see Senate Journal No. 84, page 1988.

Vetoed line items pending.

6

SB 237 Sen. Brown

Appropriations; zero budget; department of agriculture; provide for fiscal year 2009-2010.

Creates appropriation act.

Approved by Governor, with line items vetoed, Monday, October 14.

For veto message, see Senate Journal No. 86, page 2010.

Vetoed line items pending.

7

SB 243 Sen. Jansen

Appropriations; zero budget; department of energy, labor, and economic growth; provide for fiscal year 2009-2010.

Creates appropriation act.

Approved by Governor, with line items vetoed, Thursday, October 29.

For veto message, see Senate Journal No. 93, page 2136.

Vetoed line items pending.

8

SB 245 Sen. Pappageorge

Appropriations; zero budget; general government; provide for fiscal year 2009-2010.

Creates appropriation act.

Approved by Governor, with line items vetoed, Thursday, October 29.

For veto message, see Senate Journal No. 93, page 2137.

Vetoed line items pending.

MESSAGES FROM THE GOVERNOR

 9

- SB 248** Sen. Hardiman
 Appropriations; zero budget; department of human services; provide for fiscal year 2009-2010.
 Creates appropriation act.
Approved by Governor, with line items vetoed, Thursday, October 29.
For veto message, see Senate Journal No. 93, page 2138.
Vetoed line items pending.

THIRD READING OF BILLS

 10

- SB 911** Sen. McManus
 State agencies (existing); natural resources; powers and duties of the department of environmental quality under beverage container law; transfer to the department of natural resources.
 Amends sec. 3f of 1976 IL 1 (MCL 445.573f).
Reported by Committee on Appropriations.
Defeated, Wednesday, December 2; motion to reconsider vote pending.
Committee recommended I.E.

 11

- SB 958** Sen. Barcia
 Gaming; horse racing; racing commissioner; remove from coverage under the lobbyist act.
 Amends sec. 5 of 1978 PA 472 (MCL 4.415).
Reported by Committee on Agriculture and Bioeconomy.
Committee recommended I.E.

 12

- SB 216** Sen. Allen
 Liquor; licenses; continuing care retirement center liquor license; create.
 Amends secs. 525 & 537 of 1998 PA 58 (MCL 436.1525 & 436.1537) & adds sec. 545.
Reported by Committee on Economic Development and Regulatory Reform.
Senate substitute (S-1).
Committee recommended I.E.

 13

- SB 47** Sen. Kahn
 Health; pharmaceuticals; prescription drug website; provide for.
 Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 9721.
Reported by Committee on Health Policy.
Committee recommended I.E.

THIRD READING OF BILLS

 14

- HB 4656** Rep. Mayes
 Public utilities; municipal utilities; enforcement mechanism for violations by a municipally owned utility; provide for.
 Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9p.
I.E. House, March 31, 2009.
House substitute (H-2).
Reported by Committee on Energy Policy and Public Utilities.
For Senate amendment, see Senate Journal No. 81, page 1880.
Committee recommended I.E.

 15

- HB 4659** Rep. Sheltrown
 Public utilities; consumer services; shutoff notice requirement for municipally owned utilities; establish.
 Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9n.
I.E. House, March 31, 2009.
House substitute (H-3).
Reported by Committee on Energy Policy and Public Utilities.
For Senate amendments, see Senate Journal No. 81, page 1881.
Committee recommended I.E.

 16

- HB 5222** Rep. Bennett
 Water; other; groundwater dispute resolution program; eliminate.
 Repeals pt. 317 of 1994 PA 451 (MCL 324.31201 - 324.31713).
I.E. House, September 15, 2009.
House substitute (H-1).
Reported by Committee on Natural Resources and Environmental Affairs.
Committee recommended I.E.

 17

- SB 879** Sen. Hunter
 Land use; zoning and growth management; adult entertainment advertising signs; regulate.
 Creates new act.
Reported by Committee on Transportation.
Committee recommended I.E.

 18

- SB 610** Sen. Allen
 Liens; other; commercial real estate broker's lien act; enact.
 Creates new act.
Reported by Committee on Economic Development and Regulatory Reform.
Senate substitute (S-1).
Committee recommended I.E.

GENERAL ORDERS

19

SB 361 Sen. Gilbert

Michigan business tax; gross receipts; phase-in of exclusion of tobacco taxes from the definition of gross receipts; eliminate.

Amends sec. 111 of 2007 PA 36 (MCL 208.1111).

Reported by Committee on Finance.

Committee recommended I.E.

20

SB 165 Sen. Barcia

Traffic control; accidents; procedure relating to obtaining crash reports; modify.

Amends secs. 621 & 622 of 1949 PA 300 (MCL 257.621 & 257.622).

Reported by Committee on Transportation.

Committee recommended I.E.

21

SB 478 Sen. Sanborn

Corrections; other; report to legislature of status of offender tracking system; require.

Amends 1953 PA 232 (MCL 791.201 - 791.285) by adding sec. 7b.

Reported by Committee on Judiciary.

Committee recommended I.E.

22

SB 592 Sen. Kuipers

Education; financing; certain energy contracts; allow.

Amends sec. 1274a of 1976 PA 451 (MCL 380.1274a).

Reported by Committee on Education.

Committee recommended I.E.

23

SB 325 Sen. Basham

Crimes; other; installation or use of motor vehicle tracking device; prohibit under certain circumstances and provide penalty.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 539l.

Reported by Committee on Judiciary.

Committee recommended I.E.

24

HB 4327 Rep. Young

Labor; fair employment practices; unpaid leave for pregnant law enforcement officers; prohibit.

Amends sec. 202 of 1976 PA 453 (MCL 37.2202).

I.E. House, March 18, 2009.

Reported by Committee on Commerce and Tourism.

Senate substitute (S-1).

Committee recommended I.E.

25

HB 4932 Rep. Rocca

Gaming; other; allowable value for coupons awarded in redemption games; increase.

Amends sec. 310b of 1931 PA 328 (MCL 750.310b).

I.E. House, June 2, 2009.

House substitute (H-2).

Reported by Committee on Economic Development and Regulatory Reform.

Senate substitute (S-2).

Committee recommended I.E.

GENERAL ORDERS

26

SB 670 Sen. Richardville

Transportation; funds; Michigan transportation fund; reclassify as a trust fund and restrict disposition of interest and earnings.

Amends sec. 10 of 1951 PA 51 (MCL 247.660).

Reported by Committee on Transportation.

Committee recommended I.E.

27

HB 5086 Rep. Simpson

Economic development; renaissance zones; number of additional renaissance zones for agricultural processing facilities; increase.

Amends sec. 8c of 1996 PA 376 (MCL 125.2688c).

I.E. House, June 25, 2009.

Reported by Committee on Agriculture and Bioeconomy.

Committee recommended I.E.

28

SB 636 Sen. Kuipers

Education; other; neighborhood public schools; create in school code.

Amends secs. 5, 1204a, 1230, 1230a, 1230b, 1230c, 1230d, 1230e, 1233, 1233b, 1246, 1277, 1278, 1280 & 1311 of 1976 PA 451 (MCL 380.5 et seq.) & adds pt. 6D & sec. 1701b.

Reported by Committee on Education.

Committee recommended I.E.

29

SB 637 Sen. Cassis

Education; other; school aid act changes to provide funding for neighborhood public schools; provide for.

Amends secs. 3, 6, 8b, 18, 18b, 18c, 20, 31a, 51a, 101, 169 & 169b of 1979 PA 94 (MCL 388.1603 et seq.) & adds sec. 9.

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

30

SB 639 Sen. Hardiman

Labor; public service employment; neighborhood public schools; provide for in public employment relations act.

Amends secs. 1 & 15 of 1947 PA 336 (MCL 423.201 & 423.215).

Reported by Committee on Education.

Committee recommended I.E.

31

HB 4649 Rep. Horn

Human services; services or financial assistance; communication with providers regarding eligible individuals for energy assistance programs; require.

Amends sec. 7 of 1984 PA 34 (MCL 400.1207).

I.E. House, March 31, 2009.

House substitute (H-1).

Reported by Committee on Energy Policy and Public Utilities.

Committee recommended I.E.

GENERAL ORDERS

32

HB 5221 Rep. Bennett
Environmental protection; pollution prevention; laboratory recognition program; eliminate.
Repeals pt. 205 of 1994 PA 451 (MCL 324.20501 - 324.20519).
I.E. House, September 15, 2009.
Reported by Committee on Natural Resources and Environmental Affairs.
Committee recommended I.E.

33

HB 5207 Rep. Robert Jones
Property; conveyances; certain state owned property conveyed to western Michigan university; revise conditions of conveyance.
Creates land transfer act.
I.E. House, September 17, 2009.
House substitute (H-2).
Reported by Committee on Appropriations.
Committee recommended I.E.

34

SB 796 Sen. Cassis
Michigan business tax; credit; qualified film production credit confidentiality provision reporting provisions; eliminate and revise.
Amends sec. 455 of 2007 PA 36 (MCL 208.1455).
Reported by Committee on Finance.
Senate substitute (S-1).
Committee recommended I.E.

35

SB 889 Sen. Cassis
Taxation; administration; disclosure of certain film office credits; allow.
Amends sec. 28 of 1941 PA 122 (MCL 205.28).
Reported by Committee on Finance.
Senate substitute (S-1).
Committee recommended I.E.

36

HB 4218 Rep. Spade
Property tax; payment and collection; eligibility for property tax deferment on agricultural lands; clarify.
Amends sec. 51 of 1893 PA 206 (MCL 211.51).
I.E. House, March 18, 2009.
House substitute (H-1).
Reported by Committee on Finance.
Committee recommended I.E.

37

HB 4565 Rep. Meadows
Liquor; retail sales; tagging of certain beer kegs; require.
Amends 1998 PA 58 (MCL 436.1101 - 436.2303) by adding sec. 1029.
I.E. House, April 23, 2009.
House substitute (H-2).
Reported by Committee on Economic Development and Regulatory Reform.
Senate substitute (S-1).
Committee recommended I.E.

GENERAL ORDERS

38

HB 4989 Rep. Rocca
Consumer protection; retail installment sales; sales of guaranteed asset protection waivers to installment buyers of certain vehicles; regulate.
Creates new act.
I.E. House, October 7, 2009.
House substitute (H-2).
Reported by Committee on Economic Development and Regulatory Reform.
Committee recommended I.E.

39

HB 4990 Rep. Johnson
Consumer protection; retail installment sales; guaranteed asset protection waivers in certain installment sale contracts for vehicles; exclude from insurance code.
Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 127.
I.E. House, October 7, 2009.
House substitute (H-1).
Reported by Committee on Economic Development and Regulatory Reform.
Committee recommended I.E.

40

HB 4991 Rep. Johnson
Consumer protection; retail installment sales; guaranteed asset protection waivers in installment sales contracts for certain vehicles; allow under motor vehicle sales finance act.
Amends sec. 13 of 1950 (Ex Sess) PA 27 (MCL 492.113).
I.E. House, October 7, 2009.
Reported by Committee on Economic Development and Regulatory Reform.

41

HB 4992 Rep. Melton
Consumer protection; retail installment sales; guaranteed asset protection waivers in installment sales contract for certain vehicles; allow under retail installment sales act.
Amends sec. 3 of 1966 PA 224 (MCL 445.853).
I.E. House, October 7, 2009.
Reported by Committee on Economic Development and Regulatory Reform.
Committee recommended I.E.

42

HB 5235 Rep. Byrum
Insurance; other; medicare supplement policies; modify.
Amends secs. 3801, 3803, 3807, 3809, 3811, 3815, 3819, 3831 & 3839 of 1956 PA 218 (MCL 500.3801 et seq.) & adds secs. 3807a, 3809a, 3811a & 3819a.
I.E. House, September 15, 2009.
House substitute (H-3).
Reported by Committee on Economic Development and Regulatory Reform.
Senate substitute (S-1).
Committee recommended I.E.

GENERAL ORDERS

43

SB 951 Sen. McManus

Elections; petitions; review of ballot question petition by board of state canvassers before circulation; require.

Amends 1954 PA 116 (MCL 168.1 - 168.992) by adding sec. 483a.

Reported by Committee on Campaign and Election Oversight.

Senate substitute (S-1).

Committee recommended I.E.

44

SB 952 Sen. Brown

Elections; petitions; form of a ballot question petition; revise.

Amends sec. 482 of 1954 PA 116 (MCL 168.482).

Reported by Committee on Campaign and Election Oversight.

Senate substitute (S-1).

Committee recommended I.E.

45

SB 953 Sen. Jansen

Elections; petitions; posting of petition summary on secretary of state website; require.

Amends 1954 PA 116 (MCL 168.1 - 168.992) by adding sec. 483b.

Reported by Committee on Campaign and Election Oversight.

Senate substitute (S-1).

Committee recommended I.E.

46

SB 954 Sen. McManus

Elections; petitions; technical amendments to Michigan election law concerning ballot question petitions; provide for.

Amends sec. 488 of 1954 PA 116 (MCL 168.488).

Reported by Committee on Campaign and Election Oversight.

Senate substitute (S-1).

Committee recommended I.E.

47

SB 792 Sen. Kahn

Weapons; other; right to transportation and storage of firearms under certain circumstances; allow.

Amends title of 1927 PA 372 (MCL 28.421 - 28.435) & adds secs. 1b & 36.

Reported by Committee on Hunting, Fishing and Outdoor Recreation.

Senate substitute (S-1).

48

SB 793 Sen. Barcia

Weapons; other; transportation of firearms for lawful purpose; expand.

Amends sec. 231a of 1931 PA 328 (MCL 750.231a).

Reported by Committee on Hunting, Fishing and Outdoor Recreation.

GENERAL ORDERS

49

SB 891 Sen. Jansen

Children; guardians; Michigan children's institute superintendent's consent authority; expand to include consent for guardianships.

Amends sec. 9 of 1935 PA 220 (MCL 400.209).

Reported by Committee on Families and Human Services.

Committee recommended I.E.

50

SB 892 Sen. Hardiman

Children; adoption; department designee to consent to adoption; allow.

Amends sec. 43, ch. X of 1939 PA 288 (MCL 710.43).

Reported by Committee on Families and Human Services.

Committee recommended I.E.

51

SB 893 Sen. Barcia

Children; guardians; Michigan children's institute superintendent's designee to consent to guardianship; allow.

Amends sec. 19c of 1939 PA 288 (MCL 712A.19c).

Reported by Committee on Families and Human Services.

Committee recommended I.E.

52

SB 750 Sen. Pappageorge

Controlled substances; forfeiture of property; procedure for demolition of certain seized properties; establish, and allow property to be donated to certain nonprofit and governmental organizations.

Amends secs. 7523, 7524 & 7524a of 1978 PA 368 (MCL 333.7523 et seq.).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

53

HB 4801 Rep. Constan

Housing; inspection; rental housing inspection programs; expand to include rental mobile homes.

Amends sec. 7 of 1987 PA 96 (MCL 125.2307).

I.E. House, October 27, 2009.

House substitute (H-4).

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-1).

Committee recommended I.E.

RESOLUTIONS

54

SR 41 Sen. Cropsey

A resolution to urge the Michigan Department of Corrections to implement nondenominational prison congregation programs within our prisons.

Reported by Committee on Judiciary.

For text of resolution, see Senate Journal No. 32, page 591.

Adoption pending.

RESOLUTIONS

55

- SR 75** Sen. Patterson
A resolution to extend subpoena power to the Senate Judiciary Committee.
Motion to suspend rules postponed, Wednesday, August 26.
For text of resolution, see Senate Journal No. 65, page 1325.
Rules suspension pending.

56

- SR 88** Sen. Pappageorge
A resolution to urge the Michigan House of Representatives to begin the veto override process on the Governor's line-item veto of the section 20j hold harmless school aid funding in 2009 PA 121.
Reported by Committee on Appropriations.
For text of resolution, see Senate Journal No. 88, page 2053.
Adoption pending.

57

- SCR 24** Sen. Kuipers
A concurrent resolution to disapprove Executive Order No. 2009-45, setting forth changes in the organization of the executive branch.
Reported by Committee on Appropriations.
For text of resolution, see Senate Journal No. 85, page 2003.
Adopted, Thursday, November 12; motion to reconsider vote pending.

COMMITTEE REPORTS

58

- SB 904** Sen. Garcia
Environmental protection; other; designation of a school as a "green school"; revise criteria.
Amends sec. 2511 of 1994 PA 451 (MCL 324.2511).
Reported by Committee on Natural Resources and Environmental Affairs.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

59

- SB 939** Sen. McManus
Land use; other; limitation on acreage held for sporting purposes; repeal.
Repeals pt. 433 of 1994 PA 451 (MCL 324.43301 - 324.43303).
Reported by Committee on Natural Resources and Environmental Affairs.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

COMMITTEE REPORTS

60

- SB 997** Sen. Van Woerkom
Agriculture; associations and commissions; powers and duties of the commission of agriculture; restore.
Amends sec. 1 of 1921 PA 13 (MCL 285.1).
Reported by Committee on Agriculture and Bioeconomy.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

61

- SB 998** Sen. Gleason
Agriculture; associations and commissions; ability of the commission of agriculture to appoint director; restore.
Amends sec. 180 of 1965 PA 380 (MCL 16.280).
Reported by Committee on Agriculture and Bioeconomy.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

SCHEDULED MEETINGS

Appropriations -

Subcommittee -

State Police and Military Affairs - Wednesday, December 9, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

Banking and Financial Institutions - Wednesday, December 9, 8:30 a.m., Room 210, Farnum Building (373-3543)

Campaign and Election Oversight - Wednesday, December 9, 12:00 noon, Room 405, Capitol Building (373-1725)

Commerce and Tourism - Tuesday, December 8, 2:30 p.m., Room 100, Farnum Building (373-2413)

Finance - Wednesday, December 9, 12:30 p.m., Room 210, Farnum Building (373-1758)

Health Policy - Wednesday, December 9, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

Legislative Commission on Statutory Mandates - Thursday, December 10, 9:00 a.m., Bloomfield Conference Room, 5th Floor, Oakland County Executive Office Building, 2100 Pontiac Lake Road, Waterford (373-0212)

Natural Resources and Environmental Affairs - Wednesday, December 9, 1:00 p.m., Room 110, Farnum Building (373-3447)

Transportation - Tuesday, December 8, 1:00 p.m., Room 110, Farnum Building (373-7708)

BILLS IN CONFERENCE

Bill No.	Brief Title	Conferees		Report Agreed to	
		Senate	House	Senate	House
SB 247	Appropriations; zero budget; department of history, arts, and libraries; provide for fiscal year 2009-2010.	George Brown Clark-Coleman			
SB 290	Economic development; brownfield redevelopment authority; eligibility requirements; modify.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
SB 293	Economic development; renaissance zones; eligibility requirements; modify.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
SB 295	Economic development; obsolete property and rehabilitation; obsolete property rehabilitation act; modify eligibility requirements.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
SB 296	Michigan business tax; other; historic preservation tax credit preferences and penalties under certain circumstances; provide for.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
HB 4083	State financing and management; funds; strategic fund; modify eligibility requirements.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
HB 4089	Economic development; Michigan economic growth authority; eligibility requirements; modify.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
HB 4092	Economic development; other; industrial development revenue bond act; modify eligibility requirements.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
HB 4093	Economic development; plant rehabilitation; eligibility requirements; modify.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
HB 4094	Economic development; other; transportation economic development fund; modify eligibility requirements.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		